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Attorneys for Defendant

BENJAMIN TODD ELLER

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JULIA HUBBARD, et al.,

Plaintiff(s),

vs.

TRAMMELL CROW, et al.,

Defendant(s).

) Case No.: 2:22-CV-7957-FAR-MAA

) **DECLARATION OF BENJAMIN  
TODD ELLER**

) In Support of Defendant's Separate  
) Statement of Facts in Response to March  
) 6, 2023 Order to Show Cause (DKT 87)

) Honorable Fernando L. Aenlle-Rocha

**DECLARATION OF BENJAMIN TODD ELLER**

I, Benjamin Todd Eller, hereby declare that

1. I am a defendant in this lawsuit and am represented by Indira J. Cameron-Banks and Cameron Jones LLP. I have personal knowledge of the facts set forth in this declaration, and if called upon as a witness, could and would, testify as to the truth of the matters set forth below.

2. I reside and work within Los Angeles County, California.

3. At sometime in January 2019, Kayla Goedinghaus, who represented to me that she was the girlfriend of Richard Hubbard (a person known to me as Rick Hubbard), called me on the phone presumably because I am a psychologist. She told me she was taking medication, and having a hard time finding a psychiatrist that would see her. I never met or treated Kayla Goedinghaus in person.

4. I explained I cannot, and do not, prescribe, adjust, or monitor medication, or have any expertise in medications, and that she needed to find a psychiatrist in her local area, which I understood to be in Texas. I did not, and do not, know any psychiatrists in Texas, and could not provide her with any recommendations. She asked me to write her a letter that she could use to find a psychiatrist on her own. She described her traumatic past, and I felt sympathy toward her and that she indeed needed to find a psychiatrist who could help her. I agreed to provide her with a letter she could use herself to find a psychiatrist in Texas to provide her with medical services.

5. I wrote a letter that included what I, and another psychologist I consulted with, believed would be helpful to Kayla Goedinghaus in her quest to find a psychiatrist in Texas, including the medications she said she was taking at the time, and the conditions she was experiencing. The letter clearly and directly makes a recommendation to ***Kayla Goedinghaus herself*** to find a psychiatrist in Texas that could provide her with medical services. The letter was ***not*** a recommendation to any psychiatrists or medical providers to provide her with medication. Further, I did not

1 make the recommendation on my own, and ***another psychologist reviewed, joined in,***  
2 ***and signed, the recommendation.*** Neither of us received any compensation for this  
3 letter we wrote for Kayla Goedinghaus. Attached hereto as **Exhibit C**, is a true and  
4 accurate copy of the complete letter we forwarded to Kayla Goedinghaus by email to  
5 rick@ecoloft.us at 5:12 pm (PST) on January 25, 2019. We did not provide any  
6 additional correspondence or communication to, for, or about, Kayla Goedinghaus in  
7 connection with her medication, symptoms, psychological or medical care.

8 6. I reviewed the Complaint filed against me in this lawsuit and saw that only a  
9 portion of this letter is included in the Complaint at page 22, which appears to be  
10 ***specifically altered*** to leave out that we made a recommendation directly ***to Kayla***  
11 ***Goedinghaus, not any third party*** to find a psychiatrist in her local area, and the  
12 ***signature line contains two separate signatures***, from myself and the other  
13 psychologist who reviewed and joined in the recommendation.

14 7. This is not the only fabricated document in the Complaint. In my review of the  
15 Complaint filed against me in this lawsuit, I also saw an image of a portion of a letter  
16 on page 20, and the description that I wrote the letter to a Texas court in connection  
17 with a custody or divorce proceeding between Rick Hubbard and Julia Hubbard. I  
18 have been shocked and confused by this image because I never wrote or submitted  
19 any writing to any Texas court – ever. I never provided testimony for, wrote any  
20 letters for, or in any way participated in court proceedings involving Rick Hubbard or  
21 Julia Hubbard, their divorce and/or custody court proceedings.

22 8. I recently received and reviewed a copy of the full copy of the letter that I  
23 understand was submitted in their divorce proceeding on February 7, 2020, attached  
24 hereto at **Exhibit B**, page 100-101. I am still shocked and disgusted by the letter,  
25 which was ***forged and/or fabricated*** by somebody to include my logo and signature  
26 on it so as to seem like I wrote the letter. The letter does not even appear to be written  
27 by any psychologist, let alone me, and I suspect that it was written by Rick Hubbard  
28

1 himself. I had no knowledge about this false and fabricated letter until a copy was  
2 provided to me last week. ***I did not write it, authorize it or even know about it.***

3 9. Seeing this false and fabricated letter caused me to become seriously worried  
4 and concerned that Rick Hubbard has done much more with my practice's logo and  
5 my signature, given that I have recently learned that he may have been convicted for  
6 elder fraud/theft/credit card fraud. I believe he may have obtained my logo and  
7 signature to affix to this letter from the one sent to Kayla Goedinghuas on January 25,  
8 2019. I am worried that he may have submitted several fake letters and documents  
9 with my signature and logo on them. He may be using the logo of my practice and  
10 my signature in other court proceedings, credit cards, loans, and/or for other nefarious  
11 purposes.

12 10. The Travis County Sheriff's Department instructed my legal team to file a  
13 police report with my local police department in order to address my serious concern.  
14 Therefore, on March 17, 2023, I reported this identity theft and forgery to the  
15 Glendale Police Department, and hope they communicate with the Sheriff's Office in  
16 Texas. I was assigned a criminal report number, and am waiting for a copy of the  
17 criminal report.

18 11. I remain very worried and concerned about the full extent that Rick Hubbard,  
19 who has a history of criminal conviction for fraud, may be using my letterhead,  
20 signature and information to forge and fabricate other documents attributed to me. I  
21 really hope that the police and sheriffs can get to the bottom of what happened and  
22 hold Rick Hubbard accountable, as I am now a victim of his criminal activity, and am  
23 being forced to pay a heavy price for his fraud, including having to defend myself and

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1 my reputation in federal court based on these false, fabricated, and altered documents  
2 and surrounding statements about them made in the Complaint.

3 Under penalty of perjury, and in accordance with 28 U.S.C. § 1746, I declare  
4 the foregoing to be true and correct to the best of my knowledge and belief.

5 Executed this 24th day of March 2023, at Los Angeles County, California.

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8 BENJAMIN TODD ELLER  
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